

REMARKS

Telephonic Discussion with the Examiner

On January 5, 2009, applicants' agent of record discussed the Office Action and the restriction requirement set forth therein with the examiner. Although the examiner requested an oral election of a single carcinoma, no election was made.

Notice of Noncompliant Response (the "Notice")

The Notice mailed January 13, 2009, indicates that applicants' response filed on November 24, 2008 is not fully responsive to the prior restriction requirement because applicants allegedly did not elect a single type of cancer for each of claims 28-30, 39, 42 and 44. According to the Notice, applicants are required to elect a single type of carcinoma for prosecution on the merits with the elected group.

By this Supplemental Response to Restriction Requirement, applicants elect **melanoma**. Although no amendments have been made to the claims, a claim listing is included herein. Claims 23-33, and 39-44 are encompassed by the elected invention.

Withdrawal of the outstanding restriction requirement and examination on the merits is respectfully requested.

CONCLUSION

The election set forth herein is merely to comply with the Restriction Requirement and is not to be construed as surrender of any subject matter in the instant application. Applicants hereby reserve the right to pursue the subject matter of the non-elected claims in one or more divisional patent applications. Based on the above election, applicants request removal of the restriction requirement and substantive examination of all elected claims. Applicants invite the examiner to call the undersigned if it is believed that the above restriction election is incomplete or improper in any way, or if a telephonic interview will expedite the prosecution of the application to an allowance.

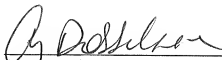
This response is filed concurrently with a Petition for Five Month Extension of Time. The Commissioner for Patents and Trademarks is hereby authorized to charge the appropriate

extension fees, as well as any other deficiencies in fees due during prosecution of this application to Deposit Account No. 14-1437.

Respectfully submitted,

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